

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

-----X
AMERICAN INSURANCE COMPANY :
Plaintiff :
v. :
CORN ASSOCIATES LLC :
and : CASE NUMBER: 1:07-cv-8604
THE FRANKLIN TOWER CONDOMINIUM :
and :
KATZ METAL FABRICATORS INC. : NOTICE OF MOTION FOR
and : ADMISSION OF COUNSEL
OLYMPIC PLUMBING AND HEATING : PRO HAC VICE
III CORP. :
and :
SAMCO PLUMBING, INC. :
Defendants. :
-----X


PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts
for the Southern and Eastern Districts of New York, I, Robert W. Phelan, a member in good
standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice

of: Mark E. Opalisky, Cozen O'Connor
1900 Market Street
Philadelphia, Pennsylvania 19103
(215) 665-2000 (phone)
(215) 665-2013 (fax)

Mark E. Opalisky, is a member in good standing of the Bar of the Commonwealth of
Pennsylvania and the State of New York. There is no pending disciplinary proceeding against
Mark E. Opalisky in any State or Federal court.

Dated: New York, New York
January 3, 2008

COZEN O'CONNOR

BY: 
Robert W. Phelan (RP-3825)
Attorney for Plaintiffs
45 Broadway Atrium, 16th Floor
New York, New York 10000
(212) 509-9400

1-4-08. MG
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FILED
JAN 4 2008
CLERK OF COURT
SOUTHERN DISTRICT OF NEW YORK

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THE FRANKLIN TOWER CONDOMINIUM	:	
and	:	
KATZ METAL FABRICATORS INC.	:	
and	:	
OLYMPIC PLUMBING AND HEATING	:	AFFIDAVIT OF
III CORP.	:	ROBERT W. PHELAN
and	:	
SAMCO PLUMBING, INC.	:	
Defendants.	:	
-----X		

Robert W. Phelan, Esquire, being duly sworn, deposes and says as follows:

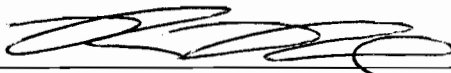
1. I am an attorney duly licensed to practice law in the State of New York, and an attorney with the law firm of Cozen O'Connor, attorneys for the Plaintiff in the above-entitled action.
2. I am fully familiar with the facts and circumstances as hereinafter set forth, and make this Affidavit in support of the Plaintiff's motion to have Mark E. Opalisky, Esquire, admitted of counsel, *Pro Hac Vice*, with respect to the above-entitled action.
3. The affiant has been acting as local counsel with respect to this matter, and respectfully requests that the Court allow Mark E. Opalisky, Esquire to be admitted *Pro Hac Vice* for purposes of serving as counsel for Plaintiff, American Insurance Company.
4. The affiant has known Mr. Opalisky to be an excellent attorney who has a great deal of experience with respect to the issues being presented in the present lawsuit and is a member in good standing of the Bar of the Commonwealth of Pennsylvania.

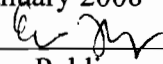
5. The affiant respectfully submits to the Court that Mr. Opalisky is not only an excellent attorney, but is a person of unimpeachable character who would do justice to both their client and the Bar.

6. The affiant respectfully requests that Mark E. Opalisky, Esquire be admitted *Pro Hac Vice* in the above-entitled action to serve as counsel in this matter.

WHEREFORE, Robert W. Phelan, Esquire respectfully requests that the Court grant an Order allowing the admission, *Pro Hac Vice*, of Mark E. Opalisky, Esquire to the United States District Court for the Southern District of New York to practice with respect to the above-captioned action, together with such other and further relief as the Court may deem just and proper.

Dated: New York, New York
January 3, 2008


Robert W. Phelan (RP-3825))

Sworn to before me this 3rd day
of January 2008

Notary Public

EDWARD HAYUM
Notary Public, State of New York
No. 02HA6104019
Qualified in Kings County
Commission Expires January 12, 2009

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and	:	CASE NUMBER: 1:07-cv-8604
THE FRANKLIN TOWER CONDOMINIUM	:	
and	:	
KATZ METAL FABRICATORS INC.	:	
and	:	
OLYMPIC PLUMBING AND HEATING III CORP.	:	AFFIDAVIT OF MARK E. OPALISKY
and	:	
SAMCO PLUMBING, INC.	:	
Defendants.	:	

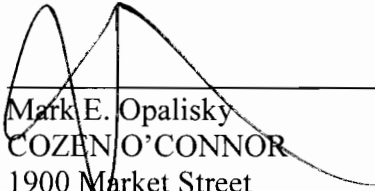
COMMONWEALTH OF PA.	:	
	:	SS
PHILADELPHIA COUNTY	:	

I, Mark E. Opalisky, Esquire, being duly sworn, depose and say:

1. I am a member of the law firm of Cozen O'Connor.
2. I submit this affidavit in support of my motion for admission to practice pro hac vice in the above-captioned matter.
3. As shown in the Certificate of Good Standing annexed hereto I am a member in good standing of the Commonwealth of Pennsylvania.
4. There are no pending disciplinary proceedings against me in any State or Federal court.
5. If the Court shall allow my Motion to Appear *pro hac vice* in the above-captioned matter, with reference to all matters, incidents or proceedings, I agree that I shall be

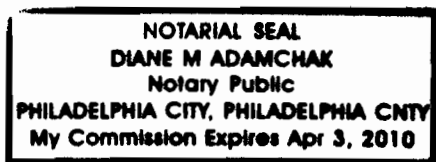
subject to the orders and rules of the United States District Court for the Southern District of New York in all respects as if I were regularly admitted and a licensed member of the United States District Court for the Southern District of New York in good standing.

6. Wherefore, your affiant respectfully submits that he be permitted to appear as counsel and advocate pro hac vice in this one case.


Mark E. Opalisky
COZEN O'CONNOR
1900 Market Street
Philadelphia, PA 19103
mopalisky@cozen.com
215-665-2729

Sworn to before me on this
5th day of December 2007







Supreme Court of Pennsylvania

CERTIFICATE OF GOOD STANDING

Mark E. Opalisky, Esq.

DATE OF ADMISSION

December 1, 1987

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal

Dated: December 19, 2007

A handwritten signature in cursive script, reading "Patricia A. Johnson".

Patricia A. Johnson
Chief Clerk

CERTIFICATE OF SERVICE

I, Robert W. Phelan, do hereby certify that a copy of the foregoing Plaintiff's Motion for Pro Hac Vice Admission has been served upon all parties of record this 3rd day of January, 2008 by First Class Mail, postage pre-paid addressed as follows:

Richard S. Kaye, Esq.
Attorneys for Defendant, Katz Metal Fabricators Inc.
Murphy & Higgins, LLP
One Radisson Plaza, 9th Floor
New Rochelle, New York 10801

White Fleischer & Fino LLP
Attorneys for Defendant, The Franklin Tower Condominium
140 Broadway, 36th Floor
New York, New York 10005

CORN ASSOCIATES LLC
86 Chambers Street, Suite 704
New York, New York 10007

SAMCO PLUMBING, INC.
36-20 13th Street
Long Island City, New York 11106



Robert W. Phelan (RP-3825)

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OLYMPIC PLUMBING AND HEATING	:	ORDER FOR ADMISSION
III CORP.	:	PRO HAC VICE
and	:	
SAMCO PLUMBING, INC.	:	
Defendants.	:	
-----X		

THIS MATTER comes before me upon motion of the Plaintiff, American Insurance Company, to permit Mark E. Opalisky, Esquire, a member in good standing of the Bar of the Commonwealth of Pennsylvania, to appear and conduct proceedings in the above-entitled case *Pro Hac Vice*. It appearing from the affidavits submitted in support of this motion that there is good cause for the relief sought, and further that the movant has certified that Mark E. Opalisky, Esquire is ready to proceed and that, therefore, the granting of this motion will not delay this action;

IT IS, this ____ day of _____, 2008, ORDERED that Mark E. Opalisky, Esquire be admitted to appear ***Pro Hac Vice*** in connection with the above-entitled case. Counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Dated: New York, New York

BY THE COURT:

J.